

MESSAGE NO: 3002303 MESSAGE DATE: 01/02/2013
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: 77 FR 73018 FR CITE DATE: 12/07/2012

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-979

EFFECTIVE DATE: 12/07/2012 COURT CASE #:

PERIOD OF REVIEW: 04/01/2011 TO 09/30/2011

PERIOD COVERED: 02/25/2011 TO 05/24/2011

Notice of Lifting of Suspension Date: 12/07/2012

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR THE ITC'S DETERMINATION OF NO CRITICAL CIRCUMSTANCES RELATING TO PHOTOVOLTAIC CELLS FROM THE PRC (A-570-979) FOR THE PERIOD 02/25/2012 THROUGH 05/24/2012

1. ON 10/17/2012, THE DEPARTMENT OF COMMERCE (COMMERCE) PUBLISHED IN THE FEDERAL REGISTER ITS FINAL DETERMINATION OF SALES AT LESS THAN FAIR VALUE IN THE ANTIDUMPING DUTY INVESTIGATION OF CRYSTALLINE SILICON PHOTOVOLTAIC CELLS, WHETHER OR NOT ASSEMBLED INTO MODULES, FROM THE PEOPLE'S REPUBLIC OF CHINA ("PRC"). IN THIS FINAL DETERMINATION THE DEPARTMENT DETERMINED THAT CRITICAL CIRCUMSTANCES EXIST WITH RESPECT TO CERTAIN SHIPMENTS OF CRYSTALLINE SILICON PHOTOVOLTAIC CELLS, WHETHER OR NOT ASSEMBLED INTO MODULES, FROM THE PRC ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION FROM 02/25/2012 THROUGH 05/24/2012.

2. HOWEVER, ON 12/6/2012, THE INTERNATIONAL TRADE COMMISSION (ITC) DETERMINED THAT CRITICAL CIRCUMSTANCES DO NOT EXIST WITH RESPECT TO SUBJECT IMPORTS FROM THE PRC. BECAUSE THE ITC DETERMINED THAT CRITICAL CIRCUMSTANCES DO NOT EXIST, THE RETROACTIVE SUSPENSION OF LIQUIDATION ORDERED AT THE TIME OF THE PRELIMINARY DETERMINATION IS TERMINATED.

3. ACCORDINGLY, CBP IS DIRECTED TO TERMINATE THE SUSPENSION OF LIQUIDATION FOR ALL ENTRIES OF SUBJECT MERCHANDISE SUSPENDED BETWEEN FROM 02/25/2012 TO 05/24/2012, AND LIQUIDATE WITHOUT REGARD TO ANTIDUMPING DUTIES (I.E., RELEASE ALL BONDS AND REFUND ALL CASH DEPOSITS OR OTHER SECURITY).

4. FOR IMPORTS OF CRYSTALLINE SILICON PHOTOVOLTAIC CELLS, WHETHER OR NOT ASSEMBLED INTO MODULES, FROM THE PRC, CBP SHALL CONTINUE TO SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION ON OR AFTER 05/25/2012.

DUE TO THE EXPIRATION OF PROVISIONAL MEASURES, FOR SUSPENDED ENTRIES OF CRYSTALLINE SILICON PHOTOVOLTAIC CELLS, WHETHER OR NOT ASSEMBLED INTO

MODULES, FROM THE PEOPLE'S REPUBLIC OF CHINA THAT WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 11/21/2012 THROUGH 12/5/2012, COMMERCE WILL INSTRUCT CBP TO TERMINATE THE SUSPENSION OF LIQUIDATION AND LIQUIDATE THE ENTRIES WITHOUT REGARD TO ANTIDUMPING DUTIES (I.E., RELEASE ALL BONDS AND REFUND ALL CASH DEPOSITS).

5. INTEREST PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930 DO NOT APPLY.

6. IF THERE ARE ANY QUESTIONS BY THE IMPORTING PUBLIC REGARDING THIS MESSAGE, PLEASE CONTACT THE CALL CENTER FOR THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE AT (202) 482-0984. CBP PORTS SHOULD SUBMIT THEIR INQUIRIES THROUGH AUTHORIZED CBP CHANNELS ONLY. (THIS MESSAGE WAS GENERATED BY O4: DEJ.)

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party